

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

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Applicant's or agent's file reference 11123P-WO	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)	
International application No. PCT/EP 03/10674	International filing date (day/month/year) 25.09.2003	Priority date (day/month/year) 27.09.2002
International Patent Classification (IPC) or both national classification and IPC F03D11/00		
Applicant GENERAL ELECTRIC COMPANY et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.
- ☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).
- These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:
- I ☒ Basis of the opinion
 - II ☐ Priority
 - III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - IV ☐ Lack of unity of invention
 - V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - VI ☐ Certain documents cited
 - VII ☐ Certain defects in the international application
 - VIII ☐ Certain observations on the international application

Date of submission of the demand 21.04.2004	Date of completion of this report 17.09.2004
Name and mailing address of the International preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized Officer Vurro, L Telephone No. +49 89 2399-2951 

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. **PCT/EP 03/10674**

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

1-6 as originally filed

Claims, Numbers

1-12 as originally filed

Drawings, Sheets

1/2, 2/2 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
☐ the language of publication of the international application (under Rule 48.3(b)).
☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority in written form.
☐ furnished subsequently to this Authority in computer readable form.
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
☐ the claims, Nos.:
☐ the drawings, sheets:

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International application No. **PCT/EP 03/10674**

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-12
	No: Claims	
Inventive step (IS)	Yes: Claims	1-12
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-12
	No: Claims	

2. Citations and explanations

see separate sheet

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Re Item V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

- 1). Reference is made to the following documents:

D1: WO-A- 01/021956

D2: DE-A- 42 28 521

Document D1, which is considered to represent the most relevant state of the art for claim 1, discloses (cf. page 1, lines 1-18; page 7, line 7- page 8, line 2; page 10 lines 11- 28 paragraph 1; claim 2; and Fig. 7) a wind turbine which comprises a closed chamber containing electric parts of the generator containing a drying arrangement for preventing a water deposition onto at least one circuit element.

- 2). The subject-matter of claim 1 differs from the wind turbine described in (D1) in that:

"the at least one circuit element is accommodated in a switch cabinet".

The subject-matter of claim 1 is therefore novel (Article 33(2) PCT).

The solution of the invention is achieved by using the combination of features claimed in independent claim 1.

Such arrangement is neither disclosed nor suggested by the prior art. Therefore, the subject matter of claim 1 is new and inventive.

- 3). Dependent claims 2-7 refer to particular embodiments of claims 1 and as consequences are also new and inventive.
- 4). Independent method claim 8 and dependent claims 9-12 contains also features which are not suggested from the art.

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- 5). Industrial application seems to be possible without any particular difficulties.
- 6). Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in the documents WO-A- 01/021956 and DE-A- 42 28 521 (D2) is not mentioned in the description, nor are these documents identified therein.
- 7). The vague statement (without departing from the spirit or scope thereof) in the description on page 6, line 9, implies that the subject-matter for which protection is sought may be different to that defined by the claims, thereby resulting in lack of clarity (Article 6 PCT) when used to interpret them (see also the PCT Guidelines, III-4.3a).